

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: ASBESTOS PRODUCTS	:	CIVIL ACTION NO. MDL 875
LIABILITY LITIGATION (No. VI)	:	
	X	
This Document Relates To:	:	MISC. ACTION No. 09-MC-103
	:	(Oil Rig Cases)
(See Exhibit A - attached case list)	:	
	X	

ORDER RE: SUBPOENA SERVED UPON
COMMUNITY PORTABLE X-RAY, INC.

AND NOW, this **8th** day of July 2010, it is **HEREBY ORDERED** that Plaintiffs' "Motion to Quash Subpoenas or, Alternatively, for Protective Order" ("Motion") (Doc. 12), filed on July 1, 2009, as it pertains to the subpoena issued by this Court in MDL-875 and served upon Community portable X-Ray ("Community") on June 12, 2009, is **DENIED in part** and **GRANTED in part** as follows:

(1) Community shall **PRODUCE** to Defendant Union Carbide Corporation ("Defendant") all documents and materials called for within Paragraphs 1, 3-6, 10, 12-13, 16, 18-19, 27,¹ but only as to specific actions undertaken by its staff or with the use of its equipment to those individuals who are remaining Plaintiffs in 09-MC-103,

(2) With respect to Paragraph 11, the Motion is **GRANTED** subject to Community providing to Defendant any information and/or materials that would identify with reasonable particularity the type or model of the medical equipment used by Community or its his staff to screen or test any of the remaining Plaintiffs in 09-MC-103 within **twenty-one (21)** calendar days of the entry of this order;

¹ All Paragraph references refer to the "Materials to be Produced" section of the subpoena.

(3) With respect to Paragraph 17, the Motion is **GRANTED** subject to Community providing Defendant any and all documentation which was provided to those individuals who are remaining Plaintiffs in 09-MC-103 within **twenty-one (21)** calendar days of the entry of this order;

(4) With respect to Paragraphs 21-22 and 24, the Motion is **GRANTED** subject to Community shall submit to Defendant an affirmative representation under oath that it was in fact properly registered, certified and/or licensed to have provided services in connection with the testing done on those individuals who are remaining Plaintiffs in 09-MC-103, if any such testing was performed. If Community is unable to provide a representation to this effect, it shall produce to Defendant any and all information relating to any denials, notices of violations, revocations, rescissions, or suspensions of its certifications and/or licensing at the time when the testing in question was undertaken. The affirmative representation, or alternatively, the production of responsive information shall be provided to Defendant within **twenty-one (21)** calendar days of the entry of this order;

(5) The materials and documents to be produced are to be produced to Defendant within **twenty-one (21)** calendar days of the entry of this order.

BY THE COURT:

/s/ David R. Strawbridge
DAVID R. STRAWBRIDGE
UNITED STATES MAGISTRATE JUDGE

ATTACHED LIST OF CASES

Last Name	First Name	Mississippi State Dist Court Number	EDPA Docket No.
Brady	Clinton L.	2006-407-CV11	5:08-cv-87071
Broom	Harvey E.	2006-519-CV11	5:08-cv-87069
Bullock	Deloice	2006-520-CV11	5:08-cv-87072
Crawford	Joseph	2006-394-CV11	5:08-cv-87080
Curd	Patrick	2006-525-CV11	5:08-cv-87083
Daniels	Willie Lee	2006-409-CV11	5:08-cv-87068
Daughdrill	Dan Mack	2006-526-CV11	5:08-cv-87081
Dearman	Rolland	2006-410-CV11	5:08-cv-87070
Dixon	George D.	2006-374-CV11	5:08-cv-87077
Emler	Louie T.	2006-464-CV11	5:08-cv-87084
Faust	Johnny W.	2006-90-CV3	5:08-cv-85894
Herring (dec'd)	Henry A.	2006-468-CV11	5:08-cv-87079
Livingston	Daniel	2006-94-CV3	5:08-cv-85987
Lord, Sr.	Archie A.	16-0056	5:08-cv-87030
McPhail	Ralph T.	2006-345-CV9	5:08-cv-87048
Mounteer, Sr.	Eliel K.	2006-555-V11	5:08-cv-87073
Newsom	Joseph	16-0018	5:08-cv-87076
Newsom	Lonnie	2006-414-CV11	5:08-cv-87031
Piner	Ted L.	2006-415-CV11	5:08-cv-87078
Polk	Brandon Kaye	2006-206-CV3	5:08-cv-85986
Polk	Dale F.	2006-85-CV3	5:08-cv-85985
Rawls	Ray C.	2006-417-CV11	5:08-cv-87075
Smith (dec'd)	Cleophus	2006-75	5:08-cv-87032
Thomas	Tony N.	2006-573-CV11	5:08-cv-87082
Wallace	Terry	2006-491-CV11	5:08-cv-87074

